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10/804,791	03/19/2004	Christopher D. Russo	81206/7114	8885

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EXAMINER

WRIGHT, INGRID D

ART UNIT PAPER NUMBER

2835

DATE MAILED: 11/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/804,791

Applicant(s)

RUSSO, CHRISTOPHER D.

Examiner

Ingrid Wright

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/19/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application
- ☒ Other: 3 Attachments

DETAILED ACTION

Allowable Subject Matter

1. The Office, apologizes for any inconvenience and notes, the indicated allowability of claim 10 & 23 is withdrawn in view of the newly discovered reference(s) to Richardson et al. US 6028764. The Rejections based on the newly cited reference(s), follow.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,5,7-14,23 & 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anzai et al. in view of Richardson et al. US 6028764.

Re claim 1, Anzai et al. teaches a protective cover (see, Abstract of Anzai et al. and attached fig. 1 & 2 of Anzai) for an electronic device (10), a display screen (32), user inputs (24), a cover portion (40), a coupling portion (22,50) a first position and a second position, but is silent as to the coupling portion (22,50), being adapted to removably couple the cover portion (40) to the electronic device (10).

Richardson et al. teaches a removable display screen connected to a base of a portable via a coupling portion (e.g. ring or clip (28)), for providing a means allowing a top portion of a computer base to be detached and quickly replaced. Therefore, to modify Anzai et al. by employing a coupling means for allowing a top portion of a computer base to be removed would have been obvious to one having ordinary skill in the art at the time the invention was made since Richardson et al. teaches a computer with these design characteristics. The skilled artisan would be motivated to combine the teachings of Anzai et al.

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and Richardson et al. since Anzai et al. teaches that his invention is applicable to notebook computers comprising a LCD display and Richardson is only used to provide the added limitation of a coupling portion, whereby a top portion of a computer base is capable of being removed or detached.

Re claim 5, Anzai et al. teaches a cover portion (40) that is substantially rigid.

Re claim 7, Anzai et al. teaches a cover portion (40), which includes an edge extending about at least a portion of a periphery of one surface, the edge extending substantially upward when the cover portion (40) is located in the first position (see, notation on attached fig. 1 of Anzai et al.).

Re claim 8, Anzai et al. teaches a cover portion (40), but is silent specifically as to a piece and a post. Richardson et al. teaches a post (26) and a piece (28). Therefore, to modify Anzai et al. by employing a piece and a post would have been obvious to one having ordinary skill in the art at the time the invention was made since Richardson et al. teaches a computer with these design characteristics. The skilled artisan would be motivated to combine the teachings of Anzai et al. and Richardson et al. since Anzai et al. teaches that his invention is applicable to notebook computers comprising a LCD display and Richardson is only used to provide the added limitation of a piece and a post, capable of being decoupled from each other.

Re claim 9, Anzai et al. teaches an electronic device (10), a base portion (20) and a display portion (32), hinged together via (22,50), but is silent specifically as to wherein a piece is removably coupled to a hinge (22,50) of the electronic device (10). Richardson et al. teaches a post (26) removably coupled to a piece (28). Therefore, to modify Azai et al. by employing a piece and post would have been obvious to one having ordinary skill in the art at the time the invention was made since Anzai et al. teaches that his

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invention is applicable to notebook computers comprising a LCD display and Richardson is only used to provide the added limitation or means of removably coupling a piece and a post.

Although, Richardson et al. teaches a post being removably coupled to a piece, in opposite operation from the instant application, it would have been obvious to one having ordinary skill in the art at the time the invention was made to attach the post to the top cover and the post to the base of the computer, since it has been held that a mere reversal of the essential working part of a device involves only routine skill in the art. In re Einstein, 8 USPQ 167.

Re claim 10, Anzai teaches a protective cover, an electronic device (10), a display screen (32) and user inputs (24), a cover portion (40), a first position and a second position, but is silent specifically as to a piece removably coupled to a post. Richardson et al. teaches a post (26) removably coupled to a piece (28). Therefore, to modify Azai et al. by employing a piece and post would have been obvious to one having ordinary skill in the art at the time the invention was made since Anzai et al. teaches that his invention is applicable to notebook computers comprising a LCD display and Richardson is only used to provide the added limitation or means of removably coupling a piece and a post.

Although, Richardson et al. teaches a post (26) being removably coupled to a piece (28), in opposite operation from the instant application, it would have been obvious to one having ordinary skill in the art at the time the invention was made to attach the post to the top cover and the post to the base of the computer, since it has been held that a mere reversal of the essential working part of a device involves only routine skill in the art. In re Einstein, 8 USPQ 167.

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Re claim 11, Anzai et al. teaches the cover (40), but is silent specifically as to a post and a piece.

Richardson et al. teaches a post (26) removably coupled to a piece (28) and held in place by a frictional force (col. 2, lines 34-36 of Richardson et al.) Therefore, to modify Azai et al. by employing a piece and post would have been obvious to one having ordinary skill in the art at the time the invention was made since Anzai et al. teaches that his invention is applicable to notebook computers comprising a LCD display and Richardson is only used to provide the added limitation of a piece and a post.

Re claim 12, Anzai et al. teaches display screen (32), a latch (34), functioning as a clip (i.e. to clip the cover portion (40) to a display screen (32)) and a second position, but is silent as to a removable clip.

Richardson et al. teaches a post (26) removably coupled to a piece (28), in the form of a clip. Therefore, to modify Azai et al. by employing a piece and post would have been obvious to one having ordinary skill in the art at the time the invention was made since Anzai et al. teaches that his invention is applicable to notebook computers comprising a LCD display and Richardson is only used to provide the added limitation or means of removably coupling a piece and a post.

Although, Richardson et al. teaches a post being removably coupled to a piece, in opposite operation from the instant application, it would have been obvious to one having ordinary skill in the art at the time the invention was made to attach the post to the top cover and the post to the base of the computer, since it has been held that a mere reversal of the essential working part of a device involves only routine skill in the art. In re Einstein, 8 USPQ 167.

Re claim 13, Anzai et al. teaches a touch sensitive layer positioned on at least a portion of an exposed surface of the cover portion (40) in the first position (see, notation on attached fig. 1 of Anzai et al.), the touch sensitive portion serving as a user input (24) (see, col. 3, lines 22-33 of Anzai et al.).

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Re claim 14, Anzai et al. teaches a cover portion (40) sized to cover the user inputs (24) and in the second position, the cover portion 40 is sized to cover the display screen (32) (see, fig. 1 & 2 of Anzai et al.).

Re claim 23, Anzai et al. teaches a protective computer system comprising (see, Abstract of Anzai et al.), a computer, a base, a keyboard (24), a lid, a display screen (32), a cover (40), a coupling device (22,50), a first position and a second position, but is silent specifically as to a piece being removably coupled to a post. Richardson et al. teaches a removable display screen connected to a base of a portable via a ring or clip (28), for providing a means allowing a top portion of a computer base to be detached and quickly replaced. Therefore, to modify Anzai et al. by employing a coupling means or piece (28) and post (26), for allowing a top portion of a computer base to be removed would have been obvious to one having ordinary skill in the art at the time the invention was made since Richardson et al. teaches a computer with these design characteristics. The skilled artisan would be motivated to combine the teachings of Anzai et al. and Richardson et al. since Anzai et al. teaches that his invention is applicable to notebook computers comprising a LCD display and Richardson is only used to provide the added limitation of a coupling means, whereby a top portion of a computer base is capable of being removed or detached.

Although, Richardson et al. teaches a post being removably coupled to a piece, in opposite operation from the instant application, it would have been obvious to one having ordinary skill in the art at the time the invention was made to attach the post to the top cover and the post to the base of the computer, since it has been held that a mere reversal of the essential working part of a device involves only routine skill in the art. In re Einstein, 8 USPQ 167.

Re claim 33, Anzai et al. as modified by Richardson et al., teaches a coupling portion (28), comprising a clip.

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3. Claims 2-4,15-18,20-32 & 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anzai et al. US 6259597 B1, in view of Richardson et al. US 6028764, further in view of Rouser US 5204160.

Re claim 2, Anzai et al. as modified by Richardson et al., teaches all the limitations of claim 1 above, but is silent specifically as to the cover portion being configured to limit an angle of view of the display screen through the cover portion in the second position. Rouser teaches (fig. 1,2) a cover (20) configured to limit an angle of view of a display screen (see, col. 2, lines 24-45 & col. 3, lines 25-49 of Rouser).

Therefore, to modify Anzai et al. as modified by Richardson et al. by employing a cover portion configured to limit an angle of view of a display screen would have been obvious to one having ordinary skill in the art at the time of the invention since Rouser teaches a cover having these design characteristics and Rouser is only used to provide the added limitation of a cover, capable of limiting an angle of view of a display screen.

Re claim 3, Anzai et al. as modified by Richardson et al., teaches a transparent plate (44) and a layer (46,48) covering one surface of the transparent plate (44) (see, notations on attached fig. 2 of Anzai et al.) or Rouser teaches a transparent plate (20) and a layer (10) covering one surface of the transparent plate (20) (see, col. 2, lines 24-45 & col. 3, lines 22-33 of Rouser).

Re claim 4, Rouser teaches the cover (20), channels (16) formed in one surface, the channels (16) each having sidewalls and a bottom wall defining a length (T), width (W) and depth (D) of the channel (16), a substantially opaque material coating at least one sidewall of the channels (16), the substantially opaque material configured to limit the angle of view of the display screen through the cover portion (see, col. 2, lines 46-48, 55-60 & col. 3, lines 15-24 of Rouser).

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Re claim 15, Anzai et al. (see, fig. 1 of Anzai et al.) teaches a protective computer system (see, Abstract of Anzai), a computer (10), a base (20), a keyboard (24) a display screen (32), the lid pivotally coupled to the base (20), a cover (40), a first position and a second position, a coupling portion (22), but is silent specifically as to a coupling device adapted to removably couple the cover portion to the computer and a cover configured to limit an angle of view of a display screen. Richardson et al. teaches a removable coupling portion (26) to a post (28) of a computer base, for providing and allowing a display cover to be detached. Therefore, to modify Anzai et al. by employing a detachable coupling portion would have been obvious to one having ordinary skill in the art at the time the invention was made since Richardson et al. teaches a computer with these design characteristics. The skilled artisan would be motivated to combine the teachings of Anzai et al. and Richardson et al. since Anzai et al. teaches that his invention is applicable to notebook computers comprising a LCD display and Richardson is only used to provide the added limitation of a detachable coupling portion.

Rouser teaches a cover (20) configured to limit an angle of view of a display screen (see, col. 3, lines 40-49 of Rouser). Therefore to modify Anzai et al. as modified by Richardson et al., by employing a cover to limit an angle of view of a display screen would have been obvious to one having ordinary skill in the art at the time of the invention since Rouser teaches a cover with these design characteristics. The skilled artisan would be motivated to combine the teachings of Anzai et al. as modified by Richardson et al., and Rouser since Anzai et al. as modified by Richardson et al., teaches that his invention is applicable to notebook computers comprising a LCD display and Rouser is only used to provide the added limitation of a cover, capable of limiting an angle of view of a display screen.

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Re claim 16, Rouser teaches a cover (20) (see, notation on attached fig. 1 of Rouser) and a transparent plate (see, col. 2, lines 44-45 of Rouser); and a layer (10) covering one surface of the transparent plate (see, col. 2, lines 24-45 of Rouser).

Re claim 17, Rouser teaches a cover (20), which includes channels (16) formed in one surface, the channels (16) each having sidewalls and a bottom wall defining a length (T), width (W) and depth (D) of the channel (16), a substantially opaque material coating at least one sidewall of the channels (16), the substantially opaque material configured to limit the angle of view of the display screen through the cover portion (see, col. 2, lines 46-48, 55-60 & col. 3, lines 15-24 of Rouser).

Re claim 18, Anzai et al. teaches a cover substantially rigid.

Re claim 20, Anzai et al. teaches a cover (40) including an edge (see, notation on attached fig. 1 of Anzai et al.) extending about at least a portion of a periphery of one surface, the edge (see, notation on attached fig. 1 of Anzai et al.) extending substantially upward when the cover (40) is located in the first position (see, notation on attached fig. 1 of Anzai et al.).

Re claim 21, Anzai et al. teaches a cover (40), but is silent specifically as to a post coupled to a cover, via a piece. Richardson et al. teaches a post (26) removably coupled to a display, via a piece (28). Therefore, to modify Anzai et al. by employing the removable coupling between a piece and a post would have been obvious to one having ordinary skill in the art at the time the invention was made since Richardson et al. teaches a computer with these design characteristics. The skilled artisan would be motivated to combine the teachings of Anzai et al. and Richardson et al. since Anzai et al. teaches that his invention is

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applicable to notebook computers comprising a LCD display and Richardson is only used to provide the added limitation of a piece and a removable post.

Although, Richardson et al. teaches a post (26) being removably coupled to a piece (28), in opposite operation from the instant application, it would have been obvious to one having ordinary skill in the art at the time the invention was made to attach the post to the top cover and the post to the base of the computer, since it has been held that a mere reversal of the essential working part of a device involves only routine skill in the art. In re Einstein, 8 USPQ 167.

Re claim 22, Richardson et al. teaches a piece (28), a hinge (20) and a computer (10).

Re claim 23, Anzai et al. teaches a protective computer system comprising (see, Abstract of Anzai et al.), a computer, a base, a keyboard (24), a lid, a display screen (32), a cover (40), a coupling device (22,50), a first position and a second position, but is silent specifically as to a piece being removably coupled to a post. Richardson et al. teaches a removable display screen connected to a base of a portable via a ring or clip (28), for providing a means allowing a top portion of a computer base to be detached and quickly replaced. Therefore, to modify Anzai et al. by employing a coupling means for allowing a top portion of a computer base to be removed would have been obvious to one having ordinary skill in the art at the time the invention was made since Richardson et al. teaches a computer with these design characteristics. The skilled artisan would be motivated to combine the teachings of Anzai et al. and Richardson et al. since Anzai et al. teaches that his invention is applicable to notebook computers comprising a LCD display and Richardson is only used to provide the added limitation of a coupling means, whereby a top portion of a computer base is capable of being removed or detached.

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Although, Richardson et al. teaches a post being removably coupled to a piece, in opposite operation from the instant application, it would have been obvious to one having ordinary skill in the art at the time the invention was made to attach the post to the top cover and the post to the base of the computer, since it has been held that a mere reversal of the essential working part of a device involves only routine skill in the art. In re Einstein, 8 USPQ 167.

Re claim 24, Anzai et al. as modified by Richardson al. teaches the cover (40) and the piece (28) and post (26), held in position by the friction fit.

Re claim 25, Anzai et al. teaches a display screen (32), a latch (34) (functions as a clip, i.e. to clip (40) to (32)), a second position and a cover (40), but is silent as to the clip removably coupling the cover.

Richardson teaches a post (26) and piece (28) removably coupling a display. Therefore, to modify Anzai et al. by employing a coupling means for allowing a top portion of a computer base to be removed would have been obvious to one having ordinary skill in the art at the time the invention was made since Richardson et al. teaches a computer with these design characteristics. The skilled artisan would be motivated to combine the teachings of Anzai et al. and Richardson et al. since Anzai et al. teaches that his invention is applicable to notebook computers comprising a LCD display and Richardson is only used to provide the added limitation of a coupling means, whereby a top portion of a computer base is capable of being removed or detached.

Re claim 26, Anzai et al. teaches a touch sensitive layer positioned on at least a portion of an exposed surface of the cover 20 in the first position, the touch sensitive portion serving as a user input (see, col. 3, lines 22-33).

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Regarding the method claims 27-32, the method steps recited in the claims are taught by Anzai et al., Richardson et al. & Rouser. Anzai et al., Richardson et al. & Rouser disclosed removably (6) coupling a cover (40) coupled to a portion of the electronic device (10); the cover (40) positioned to a first position, wherein in the first position, the cover (40) located proximate to the user inputs (24) and is sized to cover at least one user input (24); the cover (40) repositioned to a second position, wherein in the second position, the cover (40) is relocated proximate to the display screen (32) and is sized to cover (40) at least a portion of the display screen (32), limiting an angle of view of a display screen (32) through a cover (40) when the cover (20) is in the second position, a placement, after the positioning step, an object on the cover is placed without activating the at least one user input, the cover (40) pivoted about an axis to relocate the cover (40) to the second position, the cover is clipped to the portion of the electronic device

Re claim 33, Anzai et al. as modified by Richardson et al., teaches a coupling portion (28), comprising a clip.

Re claim 34, Anzai et al. as modified by Richardson et al., teaches the coupling device (28), including a clipping portion.

4. Claims 6 & 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anzai et al. US 6259597 B1, in view of Richardson et al. US 6028764, further in view of Rouser US 5204160 & Haley et al. US 5982617.

Re claims 6 & 19, Anzai et al., as modified by Richardson et al. and Rouser teaches, in regards to all the limitations of claims 1 & 15, a cover (40), but is silent specifically as to a cover portion which includes at least one hole. Haley et al. teaches a cover portion (114) which includes at least one hole (107), for

providing increased or enhanced cooling of electronic components (see, col. 3, lines 55-58 of Haley et al.). Therefore, to modify Anzai et al. as modified by Richardson et al. & Rouser, by employing a cover portion comprising a hole, would have been obvious to one of ordinary skill in the art at the time the invention was made since Haley et al. teaches these design characteristics. The skilled artisan would be motivated to combine the teachings of Anzai et al., Richardson et al., Rouser and Haley et al., since Anzai et al. as modified by Richardson et al. & Haley et al., teaches that his invention is applicable to notebook computers comprising a LCD display and Haley is only used to provide the added limitation of a cover having a hole.

Response to Arguments

5. Applicant's arguments, filed 9/18/06, have been fully considered, but are moot in view of the new ground(s) of rejection.

With respect to Applicant's arguments 1-3,6 & 7, regarding Anzai et al. not teaching a touch panel being removable in any way, the Examiner notes that Richardson et al. is relied upon to teaching a coupling portion (28) and a post (26), which allows a top cover, comprising a display, to be removed or detached.

With respect to Applicant's argument 4,5, regarding the cover (40) of Anzai et al. not being detaching, thus destroying the operability of the cover, the Examiner respectfully notes that although, Anzai et al. is silent as to the cover (40) being separable, it would have been obvious to one having ordinary skill in the art at the time of the invention to make the cover separable or detachable, whereby the electrical integrity of the cover is not destroyed, since it has been held that constructing a formerly integral structure in various elements involves only routine skill in the art. *Nerwin v. Erlichman*, 168 USPQ 177,179. For example, Kumar et al. US 5548478, discloses a detachable cover (18) via a display housing, whereby the electrical integrity of the cover is maintained when detached.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ingrid Wright whose telephone number is (571)272-8392. The examiner can normally be reached on M-F. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on (571)272-2800, ext 35. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IDW


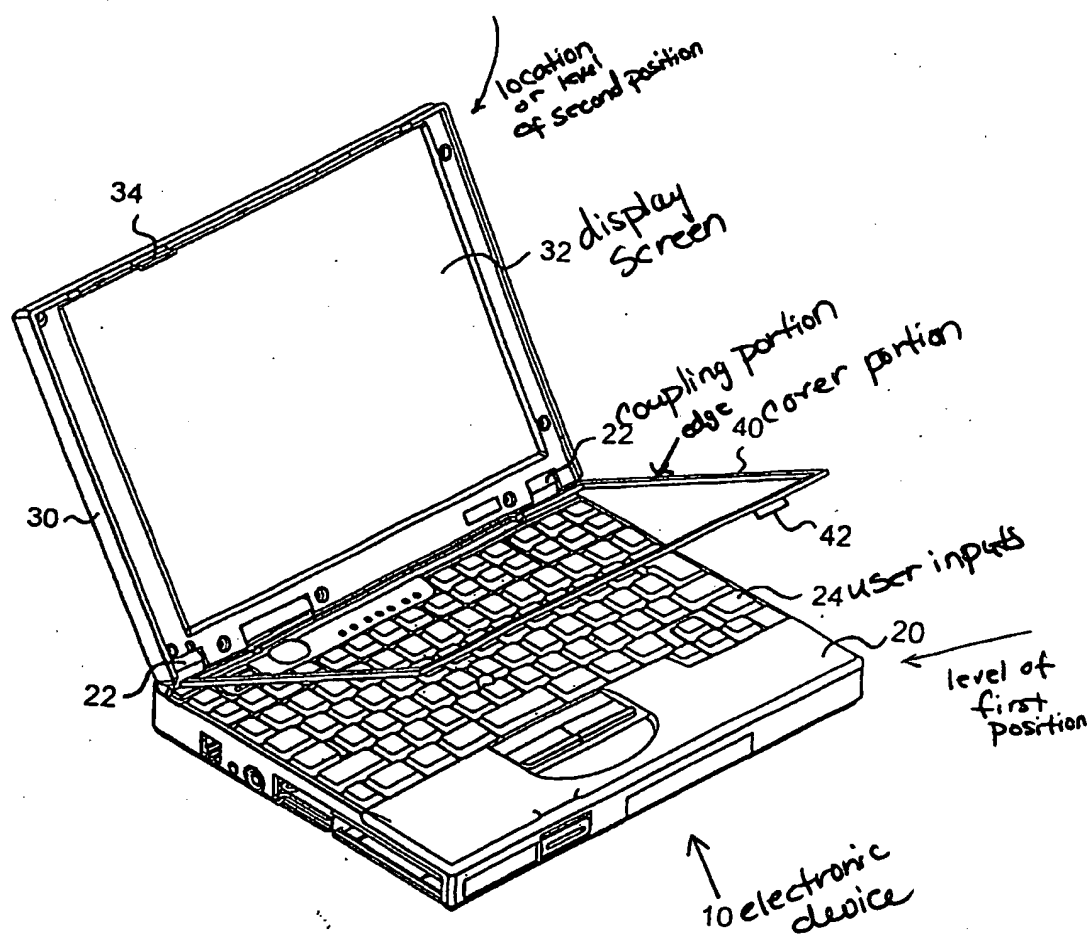
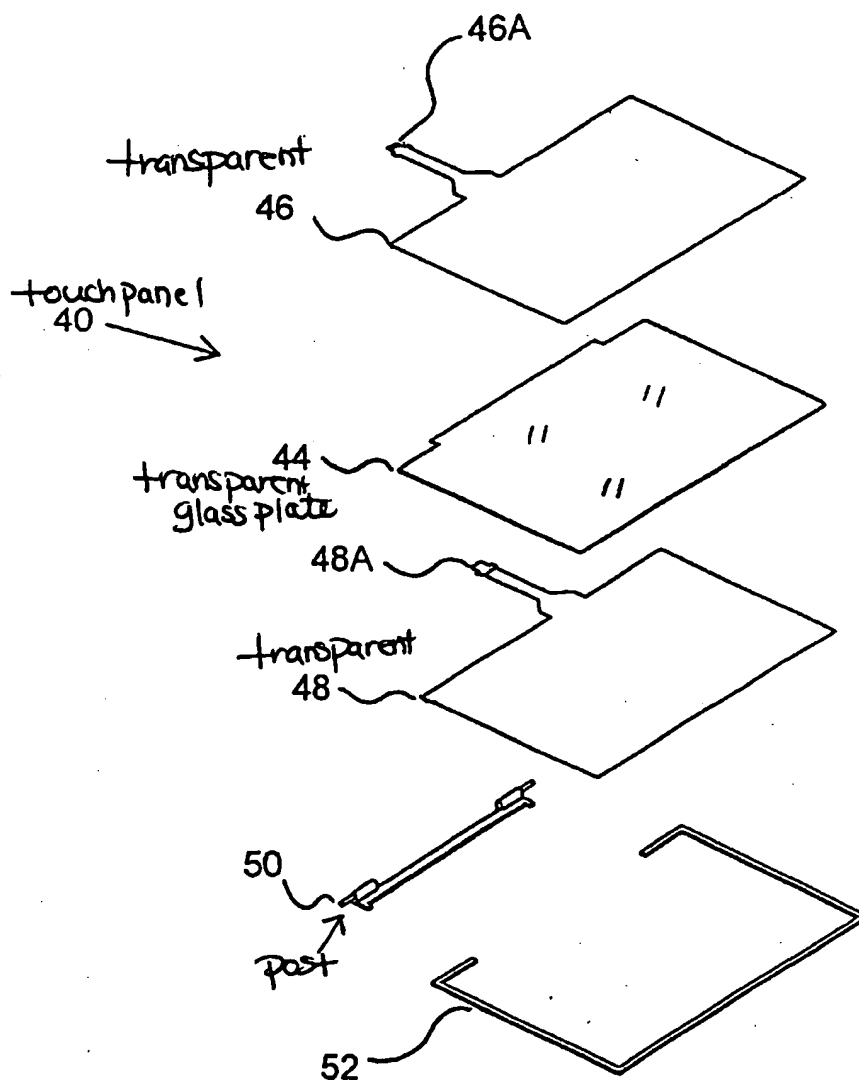

LISA LEA-EDMONDS
PRIMARY EXAMINER

Figure 1



Anzai

Figure 2



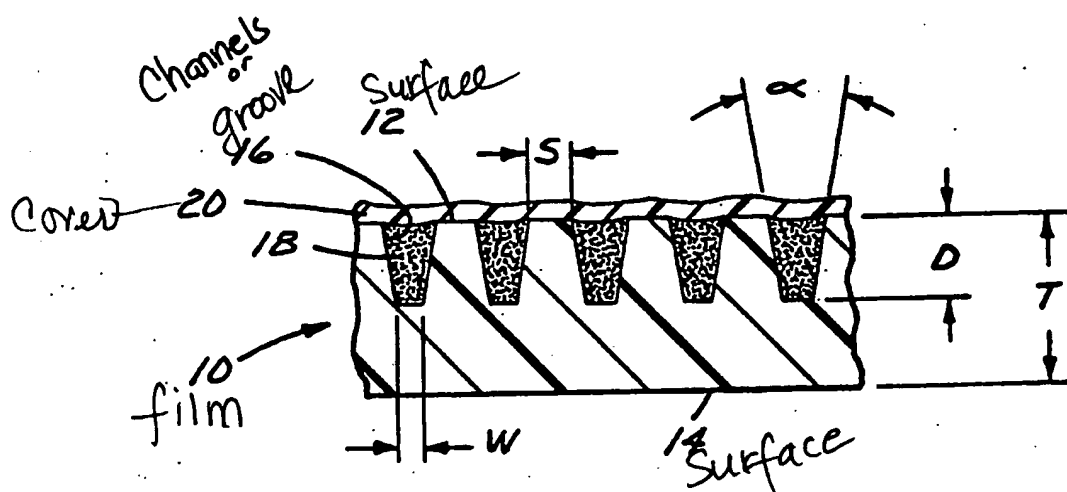


Fig. 1

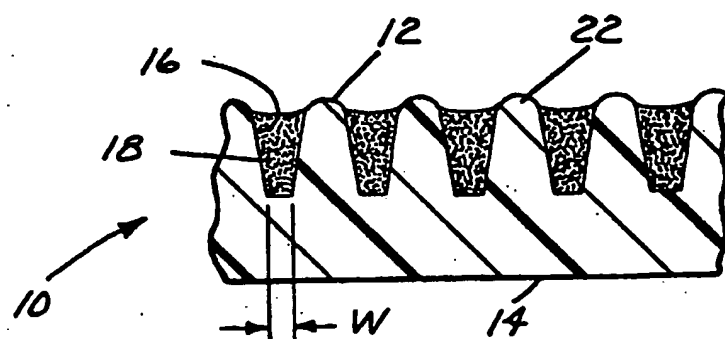


Fig. 3